

Amend Section 40-118 to read:

40-118 WHO MUST BE INCLUDED ON THE STATEMENT OF FACTS 40-118  
(FILING UNIT)

.1 (Continued)

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|---------------------------|--|
| .15 SSI/SSP Child         | The caretaker relative, stepparent, <u>California domestic partner of the SSI/SSP child's parent</u> and second parent of an SSI/SSP child when aid is requested.              |
| .16 GAIN Sanctioned Child | The caretaker relative, stepparent, <u>California domestic partner of the child's parent</u> , and second parent of a child who is sanctioned by the GAIN program. (Continued) |
| .19                       | Spouse <u>or California domestic partner</u> of persons mandatorily included in the filing unit.   |

Authority cited: Sections 10553, 10554 and 10604, Welfare and Institutions Code.

Reference: 45 CFR 206.10(a)(1)(vii), 45 CFR 206.10(a)(5)(i), and 45 CFR 233.90(c); SSA-AT-86-01; Civil Code 224m and 229, 42 USCA 602(a); Zapata v. Woods (1982) 187 Cal. Rptr 351, 137 C.A. 3d 858; and Sections 297 and 297.5(a), Family Code.

Amend Section 43-103 to read:

43-103     DEFINITIONS FOR PURPOSES OF SUPPORT RESPONSIBILITY     43-103  
(Continued)

.3     Stepparent

A stepparent is an individual who is married to the parent of a child of whom he or she is not the natural parent.

For purposes of this section, a stepparent includes the California domestic partner of a parent. (Continued)

.6     California Domestic Partner

An individual who:

.61     has a Declaration of Domestic Partnership registered with the California Secretary of State, or

.62     is a member of a legal union, other than marriage, of two persons of the same sex, validly formed in another jurisdiction, and substantially equivalent to a California registered domestic partnership.

Authority cited:     Sections 10553, 10554, and 10604, Welfare and Institutions Code.

Reference:     Sections 10553, 10554, and 10604, Welfare and Institutions Code; and Sections 297, 297.5, 298.5 and 299.2, Family Code.

Amend Section 44-209 to read:

44-209 IDENTIFICATION OF PERSONS FOR CLAIMING OF 44-209  
FINANCIAL PARTICIPATION (Continued)

.3 (Continued)

.31 An essential person is a stepparent, California domestic partner of the child's parent, or ASP who is not an otherwise federally eligible person under .2 and who:

.311 (Continued)

Authority cited: Sections 10553, 10554 and 10604, Welfare and Institutions Code.

Reference: 45 CFR 233.20(a)(2)(vii), FSA-AT-91-1 dated January 1, 1991; ~~and~~ Sections 10553, 10554, 10604, 11203, and 11450(b), Welfare and Institutions Code; and Section 297.5(a), Family Code.

1. Amend Section 80-301 to read:
2. Post-Hearing: Amend Section 80-301(s)(9) to read:

80-301	DEFINITIONS (Continued)	80-301
(c)	(1) <u>California Domestic Partner</u>	<u>“California Domestic Partner”</u> <u>means an individual who:</u>
	(A)	<u>has a Declaration of Domestic Partnership registered with the California Secretary of State or</u>
	(B)	<u>is a member of a legal union, other than a marriage, of two persons of the same sex, validly formed in another jurisdiction, and substantially equivalent to a California registered domestic partnership.</u>
	(12) (Continued)	
	(23) (Continued)	
	(34) (Continued)	
	(45) (Continued)	
(s)	(9) Stepparent	<u>“Stepparent” means a the person who is not the biological parent, but and is either married to, or the California domestic partner of, the parent of the child. (Continued)</u>

Authority cited: Sections 10553, 10554 and 10604, Welfare and Institutions Code.

TERM	PREVIOUS CITE	REFERENCE
Aid to Families With Dependant Children (AFDC)	(Continued)	(Continued)
<u>California Domestic Partner</u>	<u>N/A</u>	<u>Sections 297, 297.5, 298.5 and 299.2, Family Code.</u>

Caretaker Relative	(Continued)	(Continued)
Stepparent	43-103.3	45 CFR 233.20(a)(3)(xiv); and Section 11008.14, Welfare and Institutions Code; and Sections 297 and <u>297.5, Family Code.</u> (Continued)

1. Amend Section 82-808 to read:
2. Post-Hearing: Amend Sections 82-808.112 and .113 to read:

82-808                      CARETAKER RELATIVE REQUIREMENTS                      82-808

.1      (Continued)

.11    (Continued)

.112 Step-Relatives                      A stepfather, stepmother, California domestic partner of a parent, or stepbrother or stepsister, or

.113 Spouses of Relatives                      A spouse or California domestic partner of any person named above even after the marriage or domestic partnership has been terminated by death or dissolution or termination of the California domestic partnership, or (Continued)

.141 Acceptable Evidence                      Evidence includes:

Adoption papers or records  
Baptismal records of birth and parentage  
Birth certificate  
Bureau of Vital Statistics or local government records of birth and parentage  
Census records  
Church records (including a statement from priest, minister, etc.) of parentage or relationship  
Court records of parentage  
Court support records  
Day care center records  
Declaration of California Registered Domestic Partnership  
Divorce papers or termination of California registered domestic partnership  
Family Bible  
Hospital or public health records of birth and parentage  
Indian census records  
Insurance policy  
Juvenile court records  
Marriage licenses/records  
Outpatient care records maintained by a hospital, clinic, or physician

Paternity records maintained by a Child  
Support Agency  
School records  
Voluntary social service agency records  
(Continued)

Authority cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: 42 USC 408(a)(10); 42 USCA 606; 45 CFR 206.10; 45 CFR 206.10(a)(8); 45 CFR 233.90; 45 CFR 233.90(c)(1)(iii); 45 CFR 233.90(c)(1)(v); 45 CFR 233.90(c)(1)(v)(A); and 45 CFR 233.90(c)(2); Federal Register, Vol. 45, Page 58125, September 2, 1980; 45 CFR 237.50(b)(2); SSA-AT-86-01; ACF-AT-91-33; ~~and~~ Sections 10553, 10554, 10604, 11203, 11269, and 11450, Welfare and Institutions Code; and Sections 297 and 297.5(a)-(d), Family Code.